

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 11-277 (SRC)  
:   
v. :   
: ORDER  
MICHAEL DURANTE : FILED UNDER SEAL AND IN CAMERA

This matter having come before the Court on the *in camera*,  
*ex parte* motion of the United States, dated September, \_\_ 2012, for  
an Order declaring certain material pertaining to witnesses whom the  
Government intends to call at the trial in the above-referenced  
matter, not to be encompassed by Giglio v. United States, 405 U.S. 150  
(1972) and its progeny; and the United States having provided the  
details of the material to the Court with its motion papers; and the  
Court having reviewed the Government's submission; and it appearing  
that said material is not relevant to the defendant's guilt or  
innocence, and would not affect the jury's judgment of the credibility  
of the above-described witness.

IT IS on this 13 day of Sept, 2012,

*denies* ORDERED that the Government's motion be, and hereby is,  
~~GRANTED~~ and the Government's motion and all materials in support  
*Unsealed*  
thereof are ~~SEALED~~; and it is further

ORDERED that the Government will ~~not~~ be required to produce said material to the defense. *The court has concluded*

*that the information is at least ~~substantially~~ ~~potentially~~ proper impeachment material*

*and must be*

HON. STANLEY R. CHESLER  
UNITED STATES DISTRICT JUDGE

*disclosed. The court makes no determination <sup>at the time</sup> as to whether or not the defense will be permitted to inquire ~~into~~ the ~~cyfoniter~~ ~~of~~ that on cross examination.*

*[Signature]*  
O.S.D.